

# NATIONAL INTELLIGENCER.

## REPORT OF THE CONGRESSIONAL INVESTIGATING COMMITTEE IN THE GARDINER CASE.

The Committee of the House of Representatives appointed to investigate the connection of Mr. Secretary CORWIN with the Gardiner claim, before the late Board of Commissioners under the Mexican Treaty, have brought their labors to a close, and made a unanimous report by all the members of the Committee present in this city, viz: HON. PRESTON KING, of New York, HON. VOLNEY E. HOWARD, of Texas, and HON. CHARLES CHAPMAN, of Connecticut; the HON. ANDREW JOHNSON, of Tennessee; and the HON. JOHN Z. GOODRICH, of Massachusetts, being absent.

From the Report of the Committee, of which we obtained a copy at a late hour last evening, we make the following extract, which is all that relates to Mr. CORWIN's connection with the Gardiner claim:

"In relation to the second branch of the inquiry, the connection of the Hon. THOMAS CORWIN, the present Secretary of the Treasury, with the said Gardiner claim, the following facts appear from the testimony upon the points directed by the resolution to be investigated:

"In May, 1849, the Hon. THOMAS CORWIN, then a member of the United States Senate, was employed as counsel in the Gardiner claim by Hon. WADSWORTH THOMPSON, the original counsel of Gardiner, upon an agreement that Mr. CORWIN should have for his fee five per cent, on whatever sum should be awarded to Gardiner by the Commissioners. In February, 1850, THOMPSON, in company with ROBERT G. CORWIN, purchased one-fourth part of the claim of Gardiner, and this fourth part of said claim was assigned on the 13th of that month to W. W. CORCORAN, Esq., who loaned money to the Messrs. CORWIN to purchase it, and held the claim for Messrs. THOMPSON and ROBERT G. CORWIN, in equal shares, as collateral security for the payment of the loan. The Messrs. CORWIN paid \$22,000, and relinquished their fees on the fourth part of the claim purchased by them, and paid a part of Edward Curtis's fees—what amount does not appear—as the consideration for the purchase.

"The Hon. THOMAS CORWIN resigned his seat in the Senate, and accepted the appointment of Secretary of the Treasury in the month of July, 1850. In the same month, and previous to his going into the Cabinet of President FILLMORE as Secretary of the Treasury, a sale of his fee interest in, and also of his half of the one-fourth part of the Gardiner claim, was negotiated through the intervention of Gov. JOHN YERKS, of New York, to GEORGE LAW, Esq., of New York. From this time the said THOMAS CORWIN refused to act as counsel, or consult with the other counsel who had been associated with him in relation to the same, and took no further part in the prosecution of the said Gardiner claim. The assignment of his fee interest and his interest in the one-fourth part of the Gardiner claim, and all his interest in all other claims before the Board of Commissioners, (thirty-seven in number,) was executed by THOMAS CORWIN to Jacob Little, of New York, in November, 1850, and the money for the purchase was then paid by George Law, to whom the assignment to Jacob Little was at that time transferred.

"The money for the sale, \$80,557, was received by THOMAS CORWIN, and on the 23d of November was deposited by him to his credit with Messrs. CORCORAN and RIGGS. No testimony has been adduced before the Committee proving, or tending to prove, that the Hon. THOMAS CORWIN had any knowledge that the claim of said Gardiner was fraudulent, or that false testimony or forged papers had been, or were to be, procured to sustain the same."

It will be seen that the result of the investigation, so far as it relates to Mr. CORWIN, is precisely what the friends of that gentleman have never for a moment doubted it would be—a complete and triumphant refutation of the malicious slanders which have been so industriously and widely spread, for sinister motives only; and it must be the more gratifying to him and his friends that the present decision has been made by a committee composed of a majority of his political opponents. Two of the three members who signed the report (Messrs. KING and HOWARD) are Democrats, and one (Mr. CHAPMAN) a Whig. Of the two absent members, one (Mr. JOHNSON) is a Democrat, and the other (Mr. GOODRICH) a Whig.

The whole case lies within the compass of a nutshell, so far as Mr. CORWIN was concerned. He sold out all the contingent interest he had in this claim, and also that in nearly forty other cases, in which he was engaged as counsel before the same Board of Commissioners, and the purchase money was actually paid for his contingent fees, &c. in all these cases, (Gardiner's included,) and mutual acquaintances exchanged, ten months before the awards were made; and he in no way subsequently interfered in their management, not even to consult with the other counsel who continued to manage them. After this sale, Mr. CORWIN had no direct or indirect interest in this or the other claims, and the result would have been the same to him whether double the amount which was awarded had been given to the claimants, or whether the claims were all totally rejected. No portion of the money paid from the Treasury went into his hands, but to the party who purchased from him, and upon whom remained the whole risk of the decision, so far as the amount was concerned.

If there was any suspicion of fraud in the Gardiner claim, it certainly did not exist whilst Mr. CORWIN was acting as counsel; nor was the charge even made until after the decision by the Commissioners and the payment of the money. Perhaps no previous instance has occurred in the history of our country where such a charge has been made, and such an outcry raised, upon so miserable and shallow a foundation. It was truly "a mountain in labor, which brought forth a ridiculous mouse."

A large portion of the Report is devoted to the merits of Dr. Gardiner's claim, of which the Committee express their decided conviction that it was fraudulent. In our opinion, however, the merits of this claim, and whether it was fraudulent or otherwise, were not involved in the duty assigned by the House to the Committee. Its duty was solely to inquire into the connection of Mr. Secretary CORWIN with the claim; and, with due deference to the gentlemen composing the committee, we would say, that they were in no way called upon to go into the merits of the claim, or, if they thought otherwise, that they should have confined themselves to a plain statement of the facts which the evidence adduced before them might have elicited, and not to have expressed their opinion as to the nature of the claim, either favorably or otherwise, pending the judicial criminal proceedings which have been instituted by the Government against Dr. Gardiner, in consequence of the alleged fraudulent nature of the transaction. We, of course, have no means of judging as to the nature of the claim, and our opinion is expressed without any reference to the fact whether it is fraudulent or otherwise. We will only remark, in addition, that Dr. Gardiner, by the advice of his counsel, as we understand, did not produce any testimony before the Committee, preferring to reserve every thing of the kind until the trial of the case in Court.

## HIGHLY INTERESTING LETTER FROM SENATOR MORTON.

### TO THE WHIGS OF FLORIDA.

FELLOW-CITIZENS: The continued disposition of my family, since the adjournment of the late protracted session of Congress, has detained me in this city. It was my anxious desire to have returned to Florida, and become an active participant in the pending canvass. That desire has been increased, since I have learned that some of my good friends doubt, and others affirm, that the entire Whig ticket does not receive my cordial support. This is not so; no such doubt is justified by any word, act, or deed on my part. If I could have promptly returned to Florida, after the adjournment of Congress, and have met you in free and familiar intercourse, my position could not have been doubted or misapprehended. This would have been more congenial to my feelings and habits than addressing you individually or collectively in writing.

I flatter myself that none can doubt my position as a firm, decided, and consistent Whig. I am always ready and fully prepared to support the candidates of my party, if I am satisfied they will advocate and carry out Whig principles, if elected. My motto is, *principles first, men afterwards*. As a public man, I trust my course has satisfied you that I have never been a blind follower of party, and that I never would follow any party if there was deviation from the great principles upon which its organization depends. I have ever been mindful that I have a country to serve, as well as a party to obey.

In giving a cordial and zealous support to the entire Whig ticket (both National and State) now submitted to you, I act in strict accordance with the theory and practice of the principles I profess. As the State elections will have transpired before this reaches you, I shall confine my observations to the Whig nominations for President and Vice President, with the single remark, that, could I be present, it would afford me sincere gratification to cast my vote for the entire Whig ticket. I am pleased to learn, from your correspondence and the public prints, that the greatest enthusiasm animates the Whigs of Florida, and that there is a prospect, which amounts almost to a certainty, that they will secure the election of Governor, Representative in Congress, and the Legislature.

I was honored by the Whigs of Florida with the appointment of delegate to the National Whig Convention which met at Baltimore in June last. Your delegates were instructed to insist, as a condition precedent, before proceeding to make nominations for President and Vice President, that the Convention should put forth a declaration of principles, which should be acceptable to the South; that being done, we should use all fair and honorable means to procure the nomination of Mr. Fillmore for the Presidency. These instructions I afforded me much pleasure to respect, as they accorded with my own views, and were approved by my judgment. The platform of principles, as required by our instructions, was adopted, and it was acceptable to the South. The Convention then proceeded to ballot for candidates, and we used all fair and honorable means to secure the nomination of Mr. Fillmore. Although our efforts were unremitting, we could not succeed in producing such a result. The election fell off on another distinguished citizen, General Scott.

The Convention having promptly adopted such a platform of principles as we were required by our instructions to demand, and having participated in the balloting, we imposed upon ourselves an implied, if not express, obligation to sustain all the nominees. How far the Whigs of Florida are bound by the acts of their Representatives in the Convention is a question for their decision. It, however, appears to me, that, having consented to go into Convention upon a certain condition, and that condition having been performed, good faith to our brother Whigs of the Union requires that the Whigs of Florida should yield a cordial, ardent, and zealous advocacy to the candidates that have been selected. Although General Scott was not the first choice of the Whigs of Florida, yet, as his nomination was fairly made, we, (the delegates,) through our chairman, Colonel Ward, declared in open Convention that we acquiesced in the nomination, and had no doubt our constituents would give to it a generous and hearty support; and I flatter myself, judging from the "signs of the times," we did not misjudge their loyalty to the Whig cause and Whig principles.

I have been a zealous supporter of Mr. Fillmore's Administration, and, in common with the Whigs of the South, I had hoped he would have been selected as our standard bearer at the ensuing election. The enlightened and national spirit of his Administration, both as regards our foreign and domestic policy, has elicited the admiration and applause of the patriotic of all parties. He has been true to the Constitution, just to all portions of the Union, and, amidst the most embarrassing circumstances, has enforced the maintenance and execution of the laws of the land, in such a manner as to entitle him to be classed with the patriots and sages of the better days of the republic.

In my opposition to the nomination of General Scott, I was not influenced by any doubts as to his orthodoxy as a Whig, or his being as sound as Mr. Fillmore himself on the Southern question. I neither doubted the one nor the other; it was not that "I loved Caesar less, but I loved Rome more;" not that I had an aversion to General Scott, but that I had a preference for Mr. Fillmore—not only over him, but over all other Whigs in the Union. Admiration and gratitude, as a Southern man, caused me thus to prefer him.

I have always admired General Scott as a patriot and soldier; as an American citizen, I have been proud of him as the "greatest captain of the age," whose exploits have reflected more lustre upon the country than those of any man since the days of Washington. General Scott is no obscure individual—"his light has not been hid under a bushel;" no anxious inquiries are made as to who he is. His name and services are as familiar to his countrymen as household words. His fame is co-extensive with the civilized world. He is emphatically a national man; his life has been devoted to the service of his country—his whole country; and, if elected, he will be a national, not a sectional President. Through life he has been true to the Constitution, and, whenever the duty devolved upon him, he has seen that the laws of the land are faithfully executed. Can any one seriously doubt he will hesitate or halt in the discharge of his high obligations of duty, if elevated to the Presidential office? All we of the South ask at the hands of a President is that our rights under the Constitution and laws shall be respected and sustained; and we demand nothing more; with less we will never be satisfied.

The opponents of General Scott aver he is a mere soldier, a mere captain, without experience as a civilian, and devoid of qualifications to carry on the affairs of Government. Great military talents and administrative abilities are not incompatible, but, as a general rule, the companions of each other. Both ancient and modern history sustain the truth of this assertion. The very position General Scott now occupies presupposes him to be well versed in national and municipal law. In the discharge of his military duties he has often been placed in positions which called in requisition his knowledge of the laws of nations, as well as those of his country. He has never faltered, never erred in their execution. He has been charged by his Government with many important and delicate diplomatic and civil duties, which required something more than mere military knowledge to discharge. The trusts thus confided to him have always been executed to the satisfaction of the country and with honor to himself.

The limits I have prescribed to this communication forbid me from enlarging upon the important civil duties General Scott has from time to time performed. I will merely call your attention to his missions to the State of South Carolina, in the days of nullification; to the Northeastern Boundary, during the disturbances on the borders of Maine; and to the New York frontier, at the period of the Canada troubles. His country placed in one hand the sword, and in the other the olive branch, leaving it to his own good sense, discretion, and patriotism which he would use; he always presented the olive branch in preference to the sword; which showed, although a soldier, he was a man of peace, and delighted not in "blood and carnage." The olive branch he always prevailed upon them to accept. The harmony restored between South Carolina and the General Government, and the friendly relations re-established between this country and the

## BRITISH PROVINCES, attest the diplomacy and statesmanship of General Scott.

The important civil as well as military services rendered by General Scott in Mexico have been so recent, and are so fresh in the recollections of his countrymen, it would be a work of supererogation to do more than call your attention to them.

The election of General Scott is objected to by a few because Governor Seward favored his nomination. They express apprehensions that if he is elected, Governor Seward will more or less control his administration, and infuse into it some of his "higher-law" heresies and abominations. Those who thus calculate "reckon without their host," and evince but little knowledge of the man. All his antecedents forbid the idea. A man accustomed to command for nearly half a century is not easily controlled, much less likely to become the willing instrument in the hands of any man. General Scott under the dictatorial influence and control of Governor Seward! The very proposition is ridiculous, and carries with it its own refutation.

Is it not more probable that General Pierce, if elected, will be controlled by the Van Burens, Dix, Preston King, Hallett, B. F. Butler, Cleveland, Wilmont, and the hosts of abolitionists, who are his warm, active, and ardent supporters, than that General Scott will be influenced by Governor Seward?

I have not said any thing about our nominee for the Vice Presidency; neither is it necessary I should. Every one knows William A. Graham, of North Carolina. The Whigs of Florida expressed a preference for him in their meetings and conventions. He was my first choice for that office, and I am yet to learn that an objection has been raised to his nomination by a single Whig in any section of our country. He is known to be a decided, firm, and consistent Whig; a man of high order of intellect, an able lawyer, a profound statesman, and a gentleman of most irreproachable character, who has filled the highest offices in his native State, and has served with distinction in the Senate of the United States and the Cabinet of Mr. Fillmore. For such a man no Whig—certainly no Southern Whig—can or will refuse a zealous and cordial support.

I have extended this address to a greater length than I intended. I could not, however, say less, feeling as I do the deepest solicitude for the success of our candidates in the Presidential election.

It affords me much gratification to assure you that at this place, the great focus of information, we receive from all sections of the Union the most cheering news as to the prospect of the election of our ticket. The spirit of '40 and '48 animates the Whigs of all sections of the country; disensions, if any there were, have been healed; personal jealousies have been buried and forgotten; their march is onward to success in the pending canvass, with the watchwords, "THE UNION OF THE WHIGS FOR THE SAKE OF THE UNION."

Florida, I trust, will "take no step backward," but, as in '48, will give a larger majority in proportion to her population than any other State in the Union. We shall then command that consideration and influence with the administration of General Scott to which, as a consistent Whig State of the South, we are entitled. All this we will accomplish if the Whigs of Florida are true to themselves and true to their principles.

Let us bury and forget all real or imaginary grievances, give up our personal predilections, and at the ballot-box in November give for SCOTT and GRAHAM such an overwhelming majority as will retain for us the position we so gloriously won in 1848.

Your friend and fellow-citizen,  
JACKSON MORTON.  
WASHINGTON, SEPTEMBER 25, 1852.

## FROM CUMBERLAND.

The Cumberland Journal has the following items: RAILROAD WEST.—The track of the road has been laid nearly to Pettibone's Tunnel, and ROSEY CARP, Esq., the efficient officer to whom the work is entrusted, has gone to Wheeling with a large party of men to commence the laying of the track from that city eastward. The road will be completed at the period designated by the Chief Engineer.

RESIGNATION OF C. B. FISK.—This gentleman, for a long time Chief Engineer of the Chesapeake and Ohio Canal, has resigned his office. Having been appointed by the Government one of a Board to survey the route and report upon the cost of an additional canal around the falls of the Ohio, he has gone to Louisville to meet his associates, Col. Long and Col. Turnbull, with a view of discharging the duties of the commission.

CUMBERLAND COAL AND IRON COMPANY.—We understand this company have been successful in their negotiations for an increase of coal cars on the Baltimore and Ohio Railroad. It is supposed that this arrangement will ultimately result in the construction of another track from Cumberland to Baltimore.

THE CHESAPEAKE AND OHIO CANAL is now doing a fair business. Being a run of a recent break somewhere in the neighborhood of Williamsport, we believe the canal is sound throughout the line. The long-employed and truly-esteemed Chief Engineer, CHARLES B. FISK, Esq., having resigned and accepted another appointment, we learn that the vacancy is likely to be filled by THOMAS L. PATTERSON, Esq., of Wheeling, who for about twelve years has been engaged as an assistant to Mr. Fisk in engineering operations.

ANOTHER TRIUMPH OF RIGHT.—The petition of the abolitionists for the use of the City Hall, for the purpose of the proposed "Jerry Rescue" celebration, met with an emphatic denial by the Common Council yesterday, at a special session of that body. This is another triumph of right, and the Council are entitled to the thanks of all well-disposed citizens for their course in the premises. CHARLES A. WATSON, Esq., of New York, appeared before the Council to advocate the claim of the petitioners, the latter of whom had to make a long and able speech of course. During his remarks he observed that "in fearful crisis extraordinary action is called for." In this we agree with the gentleman; and as the proposed celebration is undertaken, will be upon us, we are successful in our efforts to the Council to advocate the claim of the petitioners, the latter of whom had to make a long and able speech of course. During his remarks he observed that "in fearful crisis extraordinary action is called for." 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